

RECEIVED

RECEIVED  
MAY 9 2002

72

#8  
9-13-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott Bermingham Doyle et al.

Application No.: 09/342,768

Examiner: Nguyen T.

Filing Date: June 28, 1999

Group Art: 2684

Title: LMDS SYSTEM WITH EQUAL POWER TO SUBSCRIBER LOCATIONS

CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any papers indicated as being enclosed, are being deposited as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 8, 2002.

May 8, 2002  
Date

Denise Grisack  
Denise Grisack

The Commissioner for Patents  
Washington, DC 20231

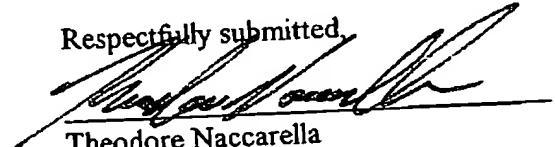
RESPONSE TO NOTICE TO NONCOMPLIANCE AMENDMENT

Sir:

In response to the Notice of Noncompliant Amendment mailed April 24, 2002 indicating that the attorney signature was missing, enclosed please find new copies of the last page of the amendment that includes the signature of the attorney. The Notice further indicated that "a clean version of the amended claim (s) is required. Applicants do not understand this requirement. No claims were amended in the amendment. Claims 4-6 were added and clean copies of them were provided. Nevertheless, in an over abundance of caution, Applicant also encloses herewith a marked up version of the claims in which the new claims are repeated.

In view of the foregoing amendments and remarks, this application is now in condition for allowance. Applicant respectfully requests the Examiner to issue a Notice of Allowance at the earliest possible date. The Examiner is invited to contact Applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,

  
Theodore Naccarella  
Registration No. 33,023

Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

Telephone: 215-923-4466  
Facsimile: 215-923-2189

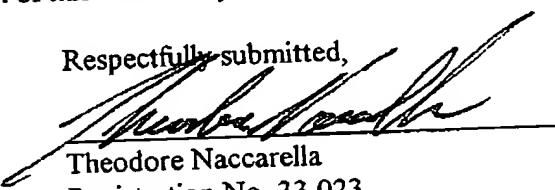
Attorneys for Applicant

M:\TNaccarella\CLIENTS\MA-Com\25532\PTO\Response to Notice to NonCompliant Amendment.wpd

Applicant has also added new claims 4-6, which are method claims essentially corresponding to claims 1-3, respectively. Accordingly, these new claims are allowable over the prior art for at least the reasons discussed above in connection with claims 1 through 3.

In view of the foregoing amendments and remarks, this application is now in condition for allowance. Applicant respectfully requests the Examiner to issue a Notice of Allowance at the earliest possible date. The Examiner is invited to contact Applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,



Theodore Naccarella  
Registration No. 33,023

Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

Telephone: 215-923-4466  
Facsimile: 215-923-2189

Attorneys for Applicant

MATNaccarella\CLIENTS\MA-Com\25532\PTO\AMENDMENT.wpd